

From: Melissa R. Keogh [REDACTED]@vbso.net>
Sent: Thursday, December 03, 2020 1:32 PM
To: G. Timothy Oksman [REDACTED]@vbso.net>
Subject: FW: Out of State Protective Orders

Mr. Oksman, Do you know of any statute that prevents us from serving a protective order for an out of state jurisdiction? Thank you in advance for your assistance.

From: William D. Fowler <WFowler@vbso.net>
Sent: Thursday, December 03, 2020 1:16 PM
To: Melissa R. Keogh [REDACTED]@vbso.net>
Cc: Cheryl D. Gainer [REDACTED]@vbso.net>
Subject: Re: Out of State Protective Orders

Lt.

How do we have jurisdiction to serve legal paperwork from another state? We had this question the other night and I spent a good amount of time researching it. I found in Virginia Code where it states Virginia Protective Orders are to be served by "law enforcement." It later defines law enforcement as "any (i) person who is a full-time or part-time employee of a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth"

We sent the orders back based off that information. Since only VA law enforcement can serve VA orders, we felt we wouldn't be able to serve other states orders either.

I also found a unofficial website, womenslaw.org, that quoted NC law that for NC protective orders to be served on an out of state person it had to be done in 1 of 3 ways. 1 - by NC law enforcement, 2 - by a certified private process server, or 3 - by any citizen willing to sign a statement and have it notarized.

We would be happy to serve the out of state protective orders if we are being told we have the authority to do so. I have never been told before that we have that authority.

Sergeant W. Fowler 07-012
VA Beach Sheriff's Office
B-Team Intake/Release
wfowler@vbso.net

On Dec 3, 2020, at 9:13 AM, Melissa R. Keogh [REDACTED]@vbso.net> wrote:

We should be serving all protective orders. Do not send out of jurisdiction Pos back to services unserved. If you have any questions, please let me know.

Thanks,
Lt

From: Joel M. Conti [REDACTED]@vbso.net>
Sent: Wednesday, December 02, 2020 7:21 PM
To: Melissa R. Keogh [REDACTED]@vbso.net>
Subject: FW: Out of State Protective Orders

Lt.,
Did something change? I know we have served these in the past.
Joel

From: Richard P. Durden [REDACTED]@vbgov.com>
Sent: Wednesday, December 02, 2020 6:56 PM
To: Joel M. Conti [REDACTED]@vbso.net>
Subject: Out of State Protective Orders

Hello Sgt. Conti,

2 out of state protective orders were returned to us, one last night and one today.

[REDACTED]
Order is from Onslow County, NC in Jacksonville, NC
Pistol Warrant #401720

[REDACTED]
Order is from Lee County Sheriff's Office in Ft. Myers, FL
NOTE-- This order was sent via US Mail directly to VBSO, with the fact they knew he was an inmate. We received this via fax from your Civil Process Division.
This is not in Pistol.

Thanks!

Respectfully,

Richard P Durden
Virginia Beach Police Department
2509 Princess Anne Road, Bldg. 11
Virginia Beach, VA 23456
PSDSA2
Support Division/NCIC

[REDACTED]
[REDACTED]@vbgov.com

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